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SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1975

NO. 75-265

NOLAN ESTES, et al

Petitioners,

versus

EDDIE MITCHELL TASBY, et al

Respondents.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS OR ALTERNATIVELY TO DISPENSE WITH PRINTING REQUIREMENTS

COME NOW the respondents herein pursuant to 28 U.S.C. §1915 and Rule 53, Rules of the Supreme Court, to move this Court for an order allowing them leave to proceed in forma pauperis, or alternatively, to dispense with printing requirements for their pleadings herein, and to make their response to Petitioners' Application for Writ of Certiorari in accordance with Rule 53. Respondents show the Court by affidavit that they are persons without financial means to pay for the costs of printing of these proceedings and/or to give sufficient

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Respectfully submitted,

MULLINAX, WELLS, MAUZY & BAAB, INC.
P. O. Box 47972
Dallas, Texas 75247 630-3672

By _____
Edward B. Cloutman, III

and

DALLAS LEGAL SERVICES FOUNDATION, INC.
912 Commerce Street, Room 2002
Dallas, Texas 75202 742-1631

By _____
Sylvia M. Demarest

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AFFIDAVIT IN SUPPORT OF MOTION
FOR LEAVE TO PROCEED IN FORMA PAUPERIS

STATE OF TEXAS)
)
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, came and appeared this day SAM TASBY, a respondent in the action now pending before the United States Supreme Court entitled Nolan Estes, et al, Petitioners v. Eddie Mitchell Tasby, et al, Respondents, Number 75-265, and having been duly sworn

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AFFIDAVIT IN SUPPORT OF MOTION
FOR LEAVE TO PROCEED IN FORMA PAUPERIS

STATE OF TEXAS)
)
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, came and appeared this day SAM TASBY, a respondent in the action now pending before the United States Supreme Court entitled Nolan Estes, et al, Petitioners v. Eddie Mitchell Tasby, et al, respondents, Number 75-265, and having been duly sworn did depose and say that:

I am SAM TASBY father and next friend of EDDIE MITCHELL TASBY. And we are both respondents in an action pending decision on a Petition for Writ of Certiorari in the Supreme Court of the United States entitled Nolan Estes, et al, Petitioners, v. Eddie Mitchell Tasby, et al, Respondents, Number 75-265. The matter is one involving issues of school

desegregation in the petitioners' school district and who are seeking review of the decision of the United States Court of Appeals for the Fifth Circuit.

Respondents, plaintiff-appellants in the courts below, are persons without money to pay either costs or legal fees incidental to these proceedings. Moreover, we have not paid any such monies to our attorneys or to their offices for costs or legal fees. We cannot afford therefore to pay the costs of this proceeding or for printing or give sufficient surety therefor.

As respondents to this action for Petition for Writ of Certiorari, we contend that the Petition should be denied as presenting no issue requiring review by this Court. The legal issues raised by petitioners herein have been decided time and again and the fact findings of the trial court as reversed or affirmed by the Court of Appeals are not clearly erroneous.

For these reasons I request this Court grant our Motion for Leave to Proceed In Forma Pauperis or Alternatively to Dispense With Printing Requirements pursuant to Rule 53, Rules of the Supreme Court.

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For these reasons I request this Court grant our Motion for Leave to Proceed In Forma Pauperis or Alternatively to Dispense With Printing Requirements pursuant to Rule 53, Rules of the Supreme Court.

Sam Tasby

SAM TASBY

SWORN TO AND SUBSCRIBED before me this 17th day of September, 1975.

Martha Ruiz

Notary Public in and for Dallas County, Texas